# Exhibit R







# Election Statute Presentation for Senate Election & Redistricting Committee Co-Chairs -May 24, 2023-





## Citizen Concerns Leading Up to 2022 General Election



#### **Top Voter Midterm Issues**

All U.S. Likely Voters Rasmussen Reports June 30, 2022

- 1 Rising Gas Prices 92% Concerned, 68% Very Concerned
- 2 Inflation 91% Concerned, 69% Very Concerned
- 3 The Economy 89% Concerned, 69% Very Concerned
- 4 Violent Crime 86% Concerned, 58% Very Concerned
- 5 Election Integrity 83% Concerned, 61% Very Concerned
- 6 School Issues 76% Concerned, 58% Very Concerned
- 7 Abortion Rights 75% Important, 54% Very Important
- 8 Election Cheating 75% Concerned, 53% Very Concerned
- 9 Illegal Immigration 73% Important, 42% Very Important

#### U.S. Legacy Media Top Midterm Issues

All U.S. Likely Voters Rasmussen Reports June 30, 2022

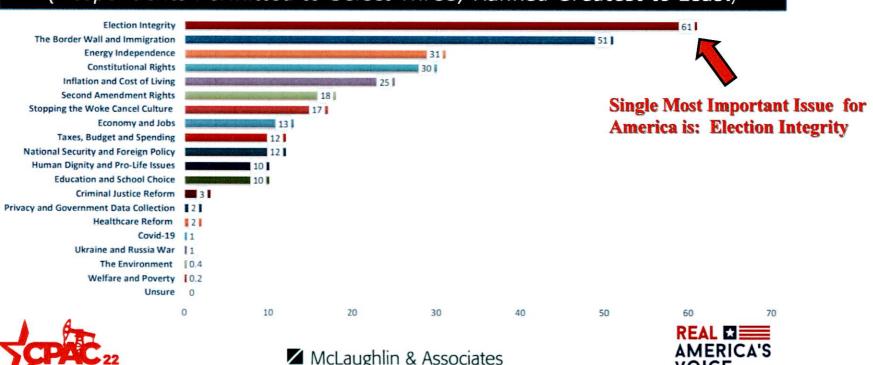
- 1 Climate Change 64% Concerned, 39% Very Concerned
- 2 Ukraine War 60% Important, 20% Very Important
- 3 Capitol Riot Investigation 57% Important, 41% Very Important
- 4 COVID-19 57% Concerned, 22% Very Concerned
- 5 LGBTQ Issues 42% Support, 23% Strongly Support
- Issue newly retested this week

# CPAC 2022 - Most Important Issues



#### Most Important Issues

(Respondents Permitted to Select Three; Ranked Greatest to Least)



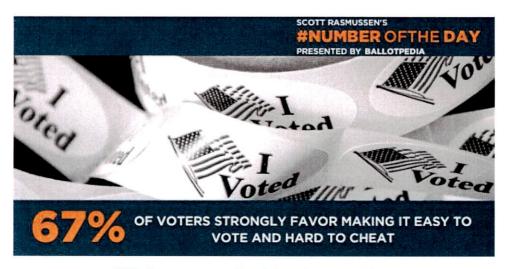


✓ McLaughlin & Associates



#### Rasmussen's National Post-Election Survey





Welcome to the Number of the Day

November 25, 2022

Sixty-seven percent (67%) of voters strongly favor making it easy to vote and hard to cheat. A Scott Rasmussen national survey found that an additional 20% somewhat favor the objective. Just 8% oppose it. There is broad bipartisan support with 78% of Republicans and 66% of Democrats strongly favoring the objective.



### Election Integrity Challenges Facing North Carolina



# The Eight Lanes of Election Integrity



- 1. County Board of Election Liaison (Leads all local Task Force interactions with CBE)
- 2. Poll Observers, employees, and greeters (Recruited & trained at all voting locations)
- 3. Mail Voting Processes (Monitors how USPS & CBE handles all absentee ballots)
- 4. List Maintenance (Analyzes voter rolls and monitors SBE voter roll maintenance)
- 5. <u>Vulnerable Voters</u> (Assists with elder care, handicapped, and military ballots.)
- 6. Machines & Technology (Monitors certification of machines & software)
- 7. <u>Statutory Provisions & Compliance</u> (Legislative oversight and advocacy)
- 8. Audit Oversight & Development (Advancing the best practices for auditing elections)

Snap the QR code or visit us at <a href="www.NCEIT.org">www.NCEIT.org</a> to help establish a trusted, statewide infrastructure, comprised of a network of regional and county Election Integrity Task Forces with operators who are trained, certified, and geographically positioned to ensure secure and legitimate election processes, November 2022 and beyond.



#### **Voter Rolls & List Maintenance**

- State & Federal analyses show that 1 in 7 Voters on NC Voter Registration File is invalid (duplicated, deceased, moved, or ineligible)
- NCSBE & Local Boards of Elections are slow and ineffective in removing invalid Registrants
- Inaccurate voter rolls enable vote fraud especially without strict Voter ID in force
- Same Day Registration (SDR) during early voting is inadequately scrutinizedelectronic & unverified address documentation allowed
- There are few enumerated federal standards for Voter List Maintenance and state standards/procedures reject citizen-provided evidence of invalid registrations and neglect to remove foreign nationals
- Out of state college student registration to vote in NC remains problematic
- UOCAVA has created non-resident registration fraud in some jurisdictions

# NCEITE EASY TO VOITE - HARD TO CHEAT

#### Absentee by Mail (ABM) Voting

- 'No Excuse' Absentee by Mail (ABM) Voting is virtually unsupervised
- ABM Voting accounts for 20-30% of all votes cast (and rising)
- ABM has few safeguards- no Identity or Signature Verification; Prone to Ballot Harvesting; and Prone to Manipulation by left-wing 501(c)3's- of which there are 50+ listed on NC Secretary of State's Site
- Invalid ABM ballots are nearly impossible to challenge under current procedures
- ABM ballot acceptance meetings are not transparent- ABM voters are not identified; container return envelopes not made available for viewing (even with Public Records Requests)
- USPS handling of ABM ballots is suspect- monitoring & inspections were denied in all NC jurisdictions
- 501(c)3's are allowed to bar code their ballot request forms and have unauthorized knowledge of ABM voters leading to ballot manipulation & harvesting



#### **Poll Observation**

- Poll Observer Mobility is unnecessarily restricted in virtually ALL Early Voting Sites & Precincts
- Registration Desk is best location to identify suspicious voters but access is very limited and listening to names/addresses is very challenging because of poor acoustics
- NCSBE does not allow audio recordings (even though no statutory prohibition)
- NCSBE denies photographing machines, voting enclosure layout, etc. (even though no statutory prohibition other than photos of voters & ballots)
- Access to Authorization to Vote (ATV) documents unnecessarily restricted
- Poll Observers unable to converse with election officials (other than Chief Judge)very problematic in resolving problems
- Poll Observers are prohibited from approaching tabulators and inspecting poll tapes
- Some Poll Observers prohibited from viewing start-up and shut-down operations



#### **Board of Elections – Election Management Transparency**

- Logic & Accuracy testing is heavily restricted for no good reason- denies proper validation of tabulation machine readiness and compliance
- Local Boards of Election lack transparency in ABM and provisional ballot handling processes allowing fraudulent ballots to be approved and scanned (witnessed repeatedly)
- Voter challenge processes do not work- virtually impossible to challenge ABM or provisional voters when their names are not announced or published in time to file the challenge
- Board of Election meetings during election cycle ought to have same transparency and viewability as during early voting and on election day



#### **Election Official & Poll Observer Training on & Access to Equipment**

- Election Officials (including Chief Judges) receive very limited access to and training on Tabulation machines- they do not know how to operate properly, causing backlogs, long lines, and voter disenfranchisement in some counties
- NCSBE denies Poll Observers ANY access to machines for any form of supervised training (instructed the Corporate producer of Tabulators to deny PO access as well)
- Logic & Accuracy Tests are not conducted in logical fashion- scripts and sample ballots provided by machine maker (rather than by election officials); inadequate QC to determine firmware certification or detection of illegal machine algorithms

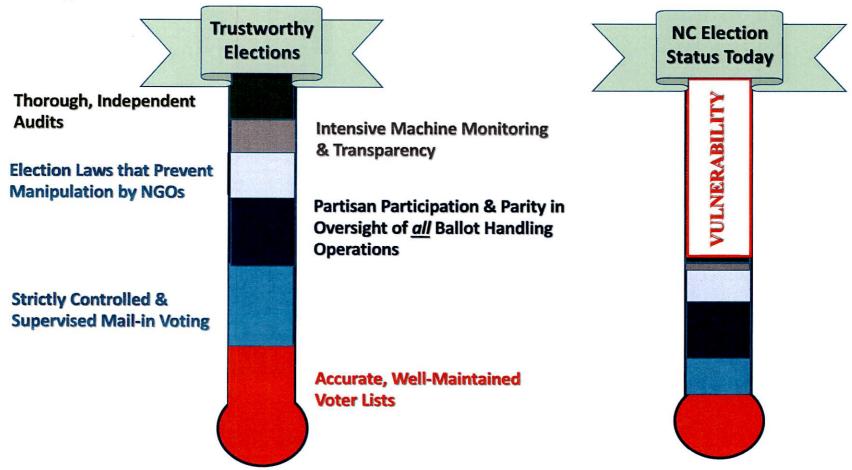


#### **Lack of Public Trust in Tabulation & Vote Tallies**

- Substantial lack of trust & confidence in voting integrity & election outcomes throughout the state and country- particularly among the swing states
- Year-round seclusion of tabulation machines from observation and PO training contributes to the level of distrust
- Machine failures with inadequate fault isolation & repairs are widely reported
- Machine makers have been instructed by NCSBE to deny access for Poll Observer training purposes
- Report of "back door" code sharing to bypass machine lock-ups in one NC county
- Reports of machine overheating & failures in a number of counties
- Some counties already seeking to mothball tabulators and hand count all ballots









# Election Integrity Legislative Recommendations from EIN's Cleta Mitchell & NCEIT President Jim Womack

#### 1. Independent Audits of Elections.

- \*Random complete audits on a rotating basis, announced post election create categories by size of jurisdiction, and so many from each category are audited after every election but some can be audited twice in a row, etc. Point being- the audited jurisdictions never know when they will be audited
- \*Access to Ballots, Machines, and Cast Vote Records from every machine for use in auditing
- \*All jurisdictions audited at least once every 5 years (or some number of years, less than 10)
- \*Audits conducted *NOT* by election offices themselves, but by State Auditor
- \*Audits consist of financial, program, auditing of ballots/voters/votes to ensure all were reconciled; technology, chain of custody, and compliance with ALL state laws governing elections
- \*Criminal penalties for failure to cooperate with audits / auditors
- \*Civil penalties, removal from office for officials from jurisdictions that fail audits
- \*Records retained and delivered to auditors, then retained for public inspection post audit; Audit findings and documentation publicly available



- 2. Reconciliations required by statute: the number of votes must equal the number of voters, must equal the number of ballots in an election. Cannot certify election until all are precincts reconciled & documented. (Penalties for failure to reconcile.)
- 3. <u>Transparency and accountability for voting technology</u>: contracts must be public records, demonstrations of equipment must be open, publicly available for training of observers, equipment must be certified and no 'critical changes' post certification without some process for public inspection and oversight; machines must be accessible to poll observers, Logic & Accuracy Tests and supporting documentation must be open and fully accessible to observers
- 4. Eliminate same day registrations (SDRs) during early voting- or at least require SDRs be issued provisional ballots so that addresses can be verified and challenges permitted prior to canvass.

#### 5. **UOCAVA reform:**

- •All registrations by citizens living abroad must be accompanied by photocopy of passport of registrant (or military identification record), which becomes a permanent part of the voter's records (not subject to destruction until voter is removed from list).
- •All overseas registrants who have not taken up residence in NC must vote from a single UOCAVA address provided by NCSBE
- •All overseas mail-in ballots must be accompanied by photocopy of passport (or military document) used in registration
- •All UOCAVA ballots should be sent to central UOCAVA registration address at NCSBE for review and adjudication
- •No registration and voting on same UOCAVA application
- •Confirmation of identity is accomplished by matching the passport photocopy on file with the passport photocopy accompanying the ballot application / ballot (or military identification)
- •Access solely to federal ballot for UOCAVA voters if they have not previously taken up residence in NC

- 6. All container return envelopes must contain a photocopy of an approved government-issued photo ID and an affidavit that the ballot is submitted by the voter himself/herself (or a legal guardian/family member), who must also swear under penalty of perjury that the person submitting the ballot is known to the voter, and meets the qualifications of 'family member, guardian, personal friend' and is accompanied by notarized affidavit signed by the person submitting the ballot on behalf of the voter
- 7. Reinstate with additional protections the Multi-Party Assistance Team (MAT) program that the AG did not defend in federal district court. Prior statutory guidelines were reasonable to protect these vulnerable voters from exploitation. Put MAT provisions back into the code with provisions to protect these vulnerable voters while honoring the federal decision allowing broad access to voting assistance (upon request by the voter).
- 8. Prohibit mailing of ballot request forms by third parties & no excuse mail-in voting; only the voter can request the absentee ballot and every vote by absentee ballot must meet statutory criteria: over the age of 70, infirmed and cannot vote in person, hospitalized, out of the jurisdiction for ALL days of in-person voting (end no-excuse absentee voting)



- 9. Processing of absentee ballots conducted with observers from both parties in a publicly accessible meeting with the identity of each absentee voter publicly announced/disclosed, allowing inspection of the container return envelopes by poll observers, with the verification of identity conducted publicly in the presence of observers
- 10. Citizens and the NC General Assembly should have standing to bring an action in **court** to enforce the election laws when violated by election officials
- 11. Limit the standing to challenge election laws enacted by the legislature: require personalized injury for any individual or entity to challenge a provision of the election code no general allegations, but facts verified under penalty of perjury of particular injury caused to that plaintiff of the challenged election law provision; require the legislature to be a necessary party to any election law challenges
- 12. Stiffen penalties for violation of election statutes, including limiting observer access beyond what is allowable under state law (and 18 US Code 245)

- 13. Require DMV and other agencies registering voters to provide to registrants a form to be signed by the registrant, identifying the county and state of former residence and registration, with voter signing a directive to the location of former residence / registration that the registrant has relocated to North Carolina, that he/she has registered to vote in North Carolina, and that the registration on file in the former state/county of residence should be cancelled. The signed instructions to remove the individual from the former state's voter rolls shall be transmitted to the NCSBE along with the new registration in NC and shall be sent by NCSBE to the former county/state of residence with instructions to remove the registrant from that state's voter rolls.
- 14. Withdraw NC from ERIC and prohibit any NC taxpayer funds from being used or spent in membership in ERIC to prevent exploitation of private citizen data
- 15. <u>Prohibit private funding, directly or indirectly, of election offices</u>, including prohibition on payment by private organizations for travel, grants, training, and other things of value from the private organization or individual to any election office, or official, in NC



# **Back-Up Slides**

# Example of List Maintenance Challenge



MOENCHUMDIE	MACT	ENGEL	200 Daniel WAS Whi 201	oamoru	INC	21330	4100	~
35 ABERCROMBIE	RIDER	JESSE EVERETT	68 Bradford Pear Ln	Sanford	NC	27330	2571	
36 ABERCROMBIE	VINCE	EVERETT	68 Bradford Pear Ln	Sanford	NC	27330	2571	
37 ABERG	JEFFREY	STEVEN	600 Carbonton Rd	Sanford	NC	27330	3730	
38 ABERG	JOHN	ANDREW	600 Carbonton Rd	Sanford	NC	27330	3730	
39 ABERG	JOHN	HENRY	600 Carbonton Rd	Sanford	NC	27330	3730	
40 ABERG	MARGIE	ANN	600 Carbonton Rd	Sanford	NC	27330	3730	
41 ABERNATHY	DEBRA	BECKER	1314 Oquinn Rd	Sanford	NC	27330	9014	
42 ABERNATHY	FRANKIE	KELLY	1386 Buckhorn Rd	Sanford	NC	27330	9783	
43 ABERNATHY	MELISSA	JEAN	5080 Wren Way	Sanford	NC	27332	7316	
44 ABERNETHY	ALEX	CAMERON	206 Streamside Dr	Sanford	NC	27330	9693	Inactiv
45 ABO AWAD	WAFDY	HASSAN	809 Hawkins Ave	Sanford	NC	27330	3341	11144411
46 ABOUAWAD	WAFDY	HASSAN	3201 Seth Dr	Sanford	NC	27330	1055	
47 ABOUL-ALIM	ISMAIL	SADEEK	2925 Cheshire Dr	Sanford	NC	27332	9152	Active
48 ABOYTES	LORENZO		427 Oak Branch Ln	Sanford	NC	27330	1071	
49 ABRAHAMSEN	CHERYL	LYNN	830 S Park Way	Sanford	NC	27332	1241	
50 ABRAM	AJAH		343 Fields Dr	Sanford	NC	27330	5013	
51 ABRAMS	MICHAEL	GRANT	7388 Sheriff Watson Rd	Sanford	NC	27332	8129	
52 ABREGO BORJA	IDALIA	LETICIA	46 Thornwood Dr	Sanford	NC	27330	7746	
53 ABSHEAR	PEGGY	RUTH	5405 S Plank Rd	Cameron	NC	28326	7188	
54 ABUTAHA	ABDALFATAH	MOHAMED	2004 Beachwood Dr	Sanford	NC	27330	9271	
55 ACEVEDO	BIANCA	LINETTE	5304 N Lakes Dr	Sanford	NC	27330	9547	
6 ACEVEDO	CRISTY	SUE	2599 Nicholson Rd	Cameron	NC	28326	7259	
7 ACEVEDO	KARIANN	GOMEZ	200 North Ave	Sanford	NC	27330	4332	
58 ACEVEDO	NERY	DANILO	97 Carpenter Ln	Sanford	NC	27330	1035	
59 ACEVEDO	SUSAN	SESSOMS	97 Carpenter Ln	Sanford	NC	27330	1035	
0 ACKER	ALEXANDER	JAMES	658 Hancock Rd	Sanford	NC	27332	0897	
61 ACLEYANJU	KATURAH		120 Quartermaster Dr	Sanford	NC	27330	7424	
62 ACORD	FRANCES	ROBERSON	1797 N Plank Rd	Sanford	NC	27330	7479	
3 ACORD	LARRY	DAVID	1797 N Plank Rd	Sanford	NC	27330	7479	

Note- This is the same voter, with a slight variation in name and with two Voter ID's.

#### Example of UOCAVA Abuse (Traveling Mailbox) &



R

A	В	С	D	( E	F	G	н		J	K	L	М	N	0	Р	Q
LastName	FirstName	MiddleName	Suffix	PrimaryAddress1	PrimaryCity	PrimaryState	PrimaryZip	PrimaryZip4	Phone	Gender	OfficialParty	Pct	VoterKey	StateVoterId	Latitude	Longitude
ALLEN	RICK			500 Westover Dr #11941	Sanford	NC	27330	8941		M	Unaffiliated	D1	7319839	CL68351	35.46191	-79.20615
ANDERSON	GLAIRE	D.		500 Westover Dr #13228	Sanford	NC	27330	8941	9.19E+09	F	Democrat	D1	2635856	DE234037	35.46191	-79.20615
ANDERSON	THOMAS	CLAY		500 Westover Dr # 13228	Sanford	NC	27330	8941	9.19E+09	M	Unaffiliated	D1	3036620	DE234267	35.46191	-79.20615
BARTLETT	JOSEPH	HENRY	1	500 Westover Dr#6729	Sanford	NC	27330	8941	9.19E+09	M	Unaffiliated	D1	2880888	EH442771	35.46191	-79.20615
BARTLETT	NINA	GRAHAM		500 Westover Dr # 6729	Sanford	NC	27330	8941	7.04E+09	F	Unaffiliated	D1	2880889	EH442799	35.46191	-79.20615
BATTLE	DANIEL			500 Westover Dr # 16079	Sanford	NC	27330	8941		M	Democrat	D1	7318260	CL68304	35.46191	-79.20615
BATTLE	SHARON			500 Westover Dr # 16079	Sanford	NC	27330	8941		F	Democrat	D1	7318279	CL68305	35.46191	-79.20615
BEAN	JOHN	MICHAEL		500 Westover Dr #10415	Sanford	NC	27330	8941	7.04E+09	M	Democrat	D1	3583610	CW246614	35.46191	-79.20615
BRODIN	CHRISTER	STIG		500 Westover Dr	Sanford	NC	27330	8941		M	Democrat	D1	4318932	AL195372	35.46191	-79.20615
BURDICK	CHRISTOPHER	SCOTT		500 Westover Dr#6619	Sanford	NC	27330	8941		M	Democrat	D1	7137189	CL67635	35.46191	-79.20615
ORNWELL	DAVID	QUAY		500 Westover Dr #11180	Sanford	NC	27330	8941	8.29E+09	M	Democrat	D1	2957308	AL66172	35.46191	-79.20615
CRANDALL	KORY	Н.		500 Westover Dr #13651	Sanford	NC	27330	8941		М	Unaffiliated	D1	7136262	CL67632	35.46191	-79.20615
RUZ	ROSALINDA			500 Westover Dr	Sanford	NC	27330	8941	9.29E+09	F	Democrat	D1	2990961	CL62283	35.46191	-79.20615
UNLIFFE	WENDY	ANNE		500 Westover Dr #15069	Sanford	NC	27330	8941		F	Unaffiliated	D1	7319118	CL67929	35.46191	-79.20615
LINN	BEVERLY	ANN		500 Westover Dr#8474	Sanford	NC	27330	8941	9.19E+09	F	Republican	D1	3042433	CL57811	35.46191	-79.20615
UGER	ANITA	REEVES		500 Westover Dr #10629	Sanford	NC	27330	8941	9.19E+09	F	Unaffiliated	D1	2518668	CJ65569	35.46191	-79.20615
SHEEN	ABBY	LYNN		500 Westover Dr #15071	Sanford	NC	27330	8941		F	Republican	D1	7317695	BR221961	35.46191	-79.20615
SHEEN	DOUGLAS	PAUL		500 Westover Dr # 15071	Sanford	NC	27330	8941	8.03E+09	M	Democrat	D1	7290981	BR221725	35.46191	-79.20615
HEALY	MAURA	ELIZABETH		500 Westover Dr #7926	Sanford	NC	27330	8941		F	Unaffiliated	D1	7318138	CL67860	35.46191	-79.20615
OHLER	JENNIFER	CRAWFORD		500 Westover Dr #5791	Sanford	NC	27330	8941	3.37E+09	F	Democrat	D1	3145430	BP46487	35.46191	-79.20615
INCOLN	CONNOR	KIMBALL		500 Westover Dr #14622	Sanford	NC	27330	8941	9.2E+09	М	Unaffiliated	D1	7136727	CL67720	35.46191	-79.20615
INCOLN	HELENE	MACKEY		500 Westover Dr #14622	Sanford	NC	27330	8941		F	Unaffiliated	D1	7136728	CL67721	35,46191	-79.20615
INCOLN	RICHARD	KIMBALL	JR	500 Westover Dr #14622	Sanford	NC	27330	8941		М	Unaffiliated	D1	7136729	CL67722	35.46191	-79.20615
MACK	KRISTEN	FAULKENBERRY		500 Westover Dr#1687	Sanford	NC	27330	8941		F	Unaffiliated	D1	7089005	BY323098	35.46191	-79.20615
MACK	TIMOTHY	DAVID		500 Westover Dr #1687	Sanford	NC	27330	8941		M	Unaffiliated	D1	7089014	BY446494	35.46191	-79.20615
MARTY	ABIGAILLE	LUZESPANTO		500 Westover Dr #19819	Sanford	NC	27330	8941	9.2E+09	F	Unaffiliated	D1	1515285	EH741187	35.46191	-79.20615
ADEAU	STEVEN	ALLEN		500 Westover Dr #2227	Sanford	NC	27330	8941	4.16E+09	M	Democrat	D1	7097082	CL67450	35.46191	-79.20615
DLIVER	WILLIAM	H. E.		500 Westover Dr # 10162	Sanford	NC	27330	8941	4.8E+09	M	Unaffiliated	D1	3244150	CL63736	35.46191	-79.20615
AY	CURTIS			500 Westover Dr # 10097	Sanford	NC	27330	8941	9.19E+09	M		D1	3251502	CL62528	35.46191	-79.20615
loss	DAVID			500 Westover Dr # 11703	Sanford	NC	27330	8941		М		D1	7320434	CL68508	35.46191	-79.20615
VIED	IACK	THOMAS		EOO Wastowar Dr # 10101	Cantord	NC	27220	2941	E 075409	M				CW1043437		-79 20615

Note- This is not a residence; Only 2 of these 32 people ever lived there. Most have never lived in NC. All live abroad but vote in Lee County elections.